

REMARKS

Claims 6 and 17 have been cancelled. Claims 1, 7, 8, 20, and 21 have been amended to clarify the subject matter regarded as the invention. Claims 1-5, 7-16, and 18-23 are pending.

Claim Rejections – 35 U.S.C. §112

Claims 7 and 8 have been amended in a manner believed to overcome the Examiner's rejections of those claims under 35 U.S.C. §112, second paragraph.

Claim Rejections – 35 U.S.C. §103(a)

The Examiner has rejected Claims 1-5, 7-16, and 18-23 under 35 U.S.C. §103(a) as being unpatentable over Pochon et al. (US 2003/0048793), in view of Cantrell et al. (US 2004/0093513) and further in view of Hamadeh et al. (US 2004/0093521). The rejections are respectfully traversed. The Examiner has stated:

“Pochon and Cantrell do not explicitly disclose how the destination is configured to reassemble overlapping fragments. Hamadeh discloses determining configuration information associated with how the destination node is configured to reassemble overlapping fragments (¶¶ [114-118] and Fig. 7, where configuration information related to reconstruction algorithm the destination is used to reconstruct overlapping fragments is determined to form a set of IP addresses).”

The Examiner has acknowledged that neither Pochon nor Cantrell discloses determining configuration information associated with how the destination node is configured to reassemble overlapping fragments. Therefore, Pochon and Cantrell also do not disclose “performing a query to determine configuration information associated with how the destination node is configured to reassemble overlapping fragments” as recited in independent Claims 1, 20, and 21 as amended. Hamadeh discloses that a **victim** “**reconstructs all possible** complete border router IP addresses consistent with ... address fragments drawn from received and identified packets.” Reconstructing “all possible” IP addresses at a victim host is not the same as “performing a query to determine configuration information associated with how the destination node is

configured to reassemble overlapping fragments” as recited in independent Claims 1, 20, and 21 as amended. Claims 1, 20, and 21 are therefore believed to be allowable.


Claims 2-5, 7-16, 18-19, and 22-23 depend, either directly or indirectly, from one of the aforementioned independent claims and are therefore also believed to be allowable.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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